



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 442

**Assembly Substitute
Amendment 1**

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Current law has a number of provisions regarding zoning boards of appeals and adjustment, including the designated functions of these boards, membership and appointing authorities, authorization for alternate members, and the number of members required to take action.

Assembly Bill 442 modifies the current statute which authorizes the appointment of two alternate members to the board of appeals or adjustment, so as to make the appointment of two alternate members mandatory for these boards. The bill requires a quorum equal to the number of all members of the board (i.e., if one or two members are absent, the alternates must be present). The bill changes the voting requirements for the city, village, or town board of appeals to require a majority vote, and retains the majority voting requirement for the county board of adjustment.

Assembly Substitute Amendment 1 modifies the quorum and voting requirements of the bill. Under the substitute amendment for both the board of adjustment and board of appeals, a simple majority of board members is required for a quorum, and the board may take action by a majority vote of members present.

Legislative History

On November 19, 2003, the Assembly Committee on Property Rights and Land Management offered Assembly Substitute Amendment 1. On December 5, 2003, the Assembly Committee on Property Rights and Land Management recommended adoption of Assembly Substitute Amendment 1 by a vote of Ayes, 5; Noes, 2.

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